

## **REMARKS/ARGUMENTS**

Reconsideration is respectfully requested.

By this response, claims 3-5 and 15 have been cancelled, claims 1, 6, 10-12 and 16 have been amended, and new claims 21-22 have been added. Thus, claims 1-2, 6-14 and 16-22 are in this application for consideration.

### **Corrected Drawing**

The Examiner has objected to the drawings because reference numerals "100", "102", "103" and "104" in Figure 2 are not mentioned in the specification. Amendment has been made to Figure 2 and those references have been deleted, thereby overcoming the objection to the drawings.

A substitute sheet containing Figure 2 has been submitted concurrently herewith by separate paper entitled "Letter Submitting Formal Drawings". A courtesy copy of such Letter Submitting Formal Drawings, with both a red-lined and corrected version of Figure 2, is attached hereto. Indication of the acceptability of such drawing is respectfully requested.

### **Rejections Under 35 U.S.C. §102**

Claims 1-20 are rejected under 35 U.S.C. §102(b) as being anticipated by *Yan, et al.* (U.S. Patent 6,003,065).

Amended claim 1 recites, in part, wherein an application header and a universal resource locator (URL) are stored on the non-volatile storage device, and an application body is provided on the web server at a location corresponding with the URL, the URL being initialized to access the application body when the loading mechanism detects the application header. (Emphasis Added)

MPEP §2131, recites, in part, that:

To anticipate a claim, the reference must teach every element of the claim. A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the ... claim. *Richardson v.*

*Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)..

Therefore, if the Applicant can identify even a single element provided by Applicant's claims that is not provided by Yan, the §102 rejection is invalid and should be withdrawn.

Yan fails to teach or suggest an application header and a universal resource locator (URL) are stored on the non-volatile storage device, and an application body is provided on the web server at a location corresponding with the URL, the URL being initialized to access the application body when the loading mechanism detects the application header as recited in amended claim 1.

On page 3, in the last paragraph, with reference to claim 5, the present Office Action asserts that Yan teaches "an application header and a uniform resource locator (URL)" and relies on Yan's col. 11, lines 21-24 and col. 16, lines 20-24 in support thereof. This assertion is respectfully traversed.

Yan's col. 11, lines 21-24 merely discloses "a host computer printing a job can download into the printer the URL location of a particular font located on the World Wide Web which is to be used in a given document." There is no teaching or suggestion regarding an "application header" as recited in claim 1.

Further, Yan's col. 16, lines 20-24 merely disclose "the firm ware update system calls include ... routines which enable a peripheral device to obtain the latest firm ware updates. These routines cause the peripheral device to download the latest firm ware updates ... over a URL location on the WWW." Claim 1 specifically recites an application header and a universal resource locator (URL) are stored on the non-volatile storage device. Yan fails to teach or suggest an "application header" in addition to the URL as recited in claim 1.

Furthermore, amended claim 1 also recites the URL being initialized to access the application body when the loading mechanism detects the application header. Yan fails to teach or suggest this addition limitation as well. For example, Yan's col. 16, lines 20-24 disclose that the firm ware routines cause a peripheral device to download the latest firm ware updates at a predetermined time interval over a URL location on the world wide web. There

is no teaching or suggestion that the URL location is initialized to access the firmware routines when the loading mechanism detects the application header. Since Yan does not disclose an application header, the question of initializing the URL location to access the firmware routines upon detecting the application header does not even arise.

In view of the above, claim 1 is patentably distinct and allowable over Yan.

As claims 2, 6-9 depend on claim 1, they too are allowable.

Claims 10 and 16 are allowable at for similar reasons set forth above with reference to claim 1 in addition to their own independently recited features.

As claims 11-14 depend on claim 10, they too are allowable.

As claims 17-20 depend on claim 16, they too are allowable.

In this response, new claims 21-22 have been added. Such claims find support at least at Figure 2, page 9, lines 20-30 and page 10, lines 1-10 of the present specification as originally filed.

New claim 21 is also allowable at least for similar reasons set forth above with regard to claim 1. Claim 21 further recites "wherein servlet settings corresponding to the network-based appliance are automatically updated via the loading mechanism if a user locally changes settings of the network-based appliance." (Emphasis Added)

In addition to the deficiencies noted above with reference to claim 1, Yan fails to teach or suggest that the servlet settings corresponding to the network-based appliance are automatically updated via the loading mechanism if a user locally changes settings of the network-based appliance.

Accordingly, claim 21 is allowable.

Claim 22 depends from claim 21 and further recites "wherein the server comprises a dedicated servlet configured to have settings that are unique to a network-based appliance." Yan fails to teach or suggest that the server comprises a dedicated servlet configured to have settings that are unique to a network-based appliance as recited in claim 22.

Therefore, claim 22 presents additional patentable subject matter.

**CONCLUSION**

For all the reasons advanced above, Applicant respectfully submits that the application is in condition for allowance, and action to that end is respectfully requested. If the Examiner's next anticipated action is to be anything other than a Notice of Allowance, the undersigned respectfully requests a telephone interview before issuance of any such subsequent action.

Respectfully submitted,

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ANNOTATED SHEET SHOWING CHANGES

2/3

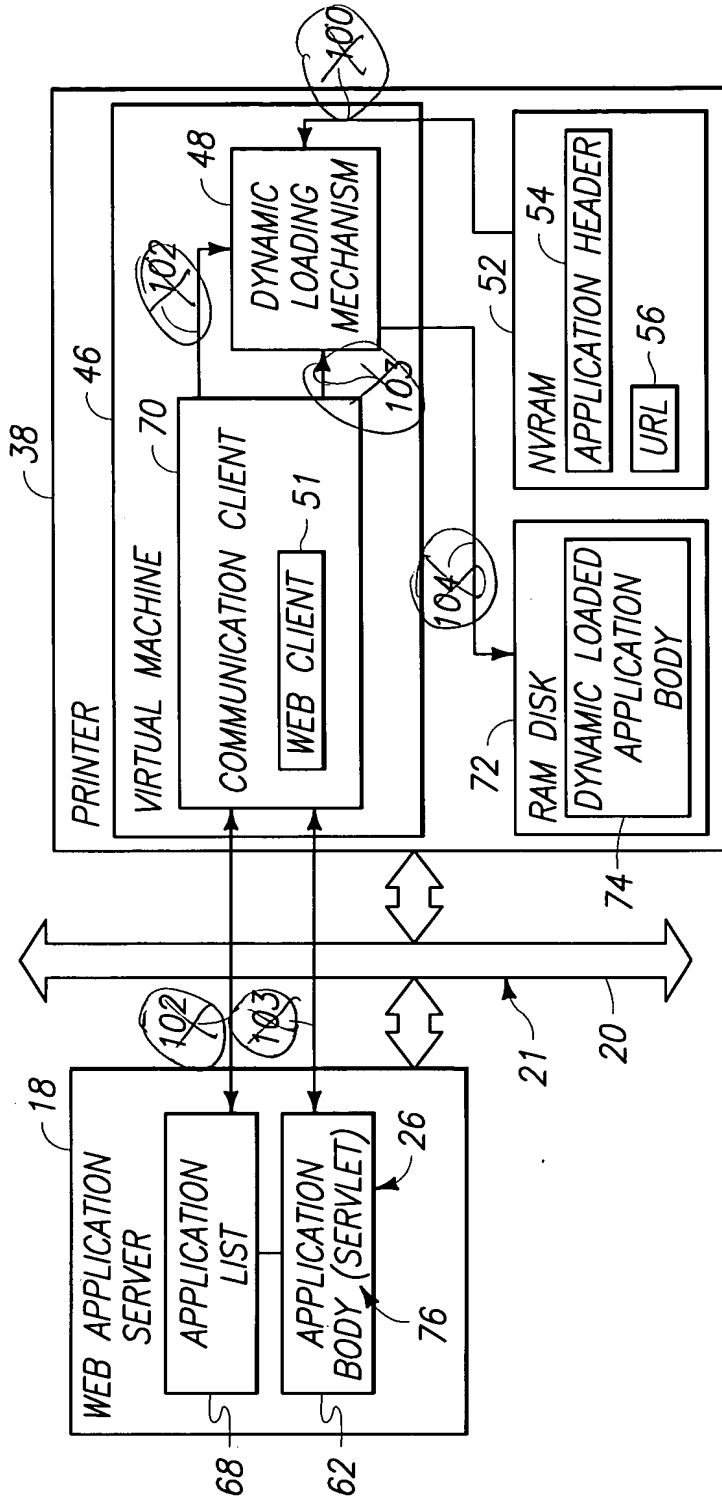


FIG. 2